

United States District Court

DISTRICT OF
MASSACHUSETTS

PLAINTIFF

VERMONT MUTUAL INS. CO.
a/s/o Timothy Stein - Wayne Fette

THIRD PARTY SUMMONS IN A CIVIL ACTION

V. DEFENDANT AND THIRD PARTY PLAINTIFF

DAVID'S FLOOR SERVICE INC.
and

MINH DANG d/b/a
DAVID'S FLOOR SERVICE

CASE NUMBER:

05 - 10307 JLT

V. THIRD PARTY DEFENDANT

MUOI BUI a/k/a MUOI PHAM AS ADMINISTRATRIX
OF THE ESTATE OF TOAN BUI
d/b/a BLESS HARDWOODS

TO: (Name and address of Third Party defendant)

MUOI BUI a/k/a MUOI PHAM
7 VERN STREET, DORCHESTER, MA

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

JAMES P. CULLEN, JR.
COZEN O'CONNOR
1900 MARKET STREET
PHILADELPHIA, PA 19103-3508
215. 665. 2000

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY
(name and address)

SUSAN JOHNSON BOWEN
WARREN, HENSLEY + BOWEN LLP
185 DEVONSHIRE STREET, #1000
BOSTON, MA 02110
617.542.4130

an answer to the third-party complaint which is herewith served upon you within _____ days after service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the third-party complaint. There is also served upon you herewith a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff.

SARAH A. THORNTON

CLERK

(BY) DEPUTY CLERK

DATE

January 17, 2006

RETURN OF SERVICE

Service of the Summons and complaint was made by me ¹	DATE
NAME OF SERVER	TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the third-party defendant. Place where served: _____
- ☐ Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☐ Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____ Date _____ Signature of Server _____

Address of Server _____



Suffolk County Sheriff's Department • 45 Bromfield Street • Boston, MA 02108 • (617) 989-6999
Suffolk, ss.

February 13, 2006

I hereby certify and return that on 2/9/2006 at 8:51AM I served a true and attested copy of the 3rd Party Summons, 3rd Party Complaint and Complaint in this action in the following manner: To wit, by leaving at the last and usual place of abode of Muoi Bui, aka Muoi Phan, as administratrix of the estate of Toan Bui, dba Bless Hardwoods, 7 Vera Street Apt 3 Dorchester, MA 02124 and by mailing 1st class to the above address on 2/9/2006. Basic Service Fee (LU) (\$20.00), U.S. District Court Fee (\$5.00), Conveyance (\$2.40), Travel (\$5.12), Postage and Handling (\$3.00), Attest/Copies (\$10.00) Total Charges \$45.52

(1)

Deputy Sheriff Robert Foscaldo

Deputy Sheriff

06003267